

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

PERCY ST. GEORGE

v.

MAHALLY, THE DISTRICT ATTORNEY  
OF COUNTY OF PHILADELPHIA and  
THE ATTORNEY GENERAL OF  
THE STATE OF PENNSYLVANIA

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CIVIL ACTION

NO. 19-3963

**ORDER**

**NOW**, this 7th day of October, 2019, upon consideration of the Petition for Writ of *Habeas Corpus* (Document No. 2), the Report and Recommendation filed by United States Magistrate Judge Thomas J. Rueter (Document No. 7), and the petitioner's Objection to Report and Recommendation (Document No. 8), and after a thorough and independent review of the record, it is **ORDERED** that:

1. The petitioner's objections are **OVERRULED**;
2. The Report and Recommendation of Magistrate Judge Thomas J. Rueter is **APPROVED** and **ADOPTED**; and
3. The Petition for Writ of *Habeas Corpus* is **DISMISSED WITHOUT PREJUDICE**.<sup>1</sup>
4. There is no probable cause to issue a certificate of appealability.

/s/ TIMOTHY J. SAVAGE J.

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<sup>1</sup> The petitioner is not precluded from seeking permission from the Third Circuit Court of Appeals to file a second or successive § 2254 motion.